(2) The Office Director may, in his or her discretion, allow additional oral or written testimony.

(3) If no appeal is filed with the Office Director within the permitted time period, the decision of the MOD Director shall be final.

(e) If a final decision is made to decertify a part under paragraph (d) of this section, the manufacturer of such part shall notify his immediate customers (other than retail customers) that, as of the date of the final determination, the part in question has been decertified. The part manufacturer shall offer to replace decertified parts in the customer's inventory with certified replacement parts or, if unable to do so, shall at the customer's request repurchase such inventory at a reasonable price.

(f) Notwithstanding the requirements of paragraph (e) of this section, a part purchased by a vehicle owner as certified, shall be considered certified pursuant to this subpart.

[45 FR 78462, Nov. 25, 1980, as amended at 54 FR 32593, Aug. 8, 1989]

§ 85.2122 Emission-critical parameters.

(a) The following parts may be certified in accordance with § 85.2114(b):

(1) *Carburetor Vacuum Break (Choke Pull-Off).* (i) The emission-critical parameters for carburetor vacuum breaks are:

(A) Diaphragm Displacement.

(B) Timed Delay.

(C) Modulated Stem Displacement.

(D) Modulated Stem Displacement Force.

(E) Vacuum Leakage.

(ii) For the purposes of this paragraph:

(A) ''Diaphragm Displacement'' means the distance through which the center of the diaphragm moves when activated. In the case of a non-modulated stem, diaphragm displacement corresponds to stem displacement.

(B) ''Timed Delay'' means a delayed diaphragm displacement controlled to occur within a given time period.

(C) ''Modulated Stem Displacement'' means the distance through which the modulated stem may move when actuated independent of diaphragm displacement.

(D) ''Modulated Stem Displacement Force'' means the amount of force required at start and finish of a modulated stem displacement.

(E) ''Vacuum Leakage'' means leakage into the vacuum cavity of a vacuum break.

(F) ''Vacuum Break'' (''Choke Pull-off'') means a vacuum-operated device to open the carburetor choke plate a predetermined amount on cold start.

(G) ''Modulated Stem'' means a stem attached to the vacuum break diaphragm in such a manner as to allow stem displacement independent of diaphragm displacement.

(H) ''Vacuum Purge System'' means a vacuum system with a controlled air flow to purge the vacuum system of undesirable manifold vapors.

(2) *Carburetor Choke Thermostats.* (i) The emission-critical parameters for all Choke Thermostats are:

(A) Thermal Deflection Rate.

(B) Mechanical Torque Rate.

(C) Index Mark Position.

(ii) The emission-critical parameters for Electrically-Heated Choke Thermostats are:

(A) Those parameters set forth in paragraph (a)(2)(i) of this section

(B) Time to rotate coil tang when electrically energized

(C) Electrical circuit resistance

(D) Electrical switching temperature

(iii) For the purpose of this paragraph:

(A) ''Choke'' means a device to restrict air flow into a carburetor in order to enrich the air/fuel mixture delivered to the engine by the carburetor during cold-engine start and cold-engine operation.

(B) ''Thermostat'' means a temperature-actuated device.

(C) ''Electrically-heated Choke'' means a device which contains a means for applying heat to the thermostatic coil by electrical current.

(D) ''Thermostatic Coil'' means a spiral-wound coil of thermally-sensitive material which provides rotary force (torque) and/or displacement as a function of applied temperature.

(E) ''Thermostatic Switch'' means an element of thermally-sensitive material which acts to open or close an electrical circuit as a function of temperature.